



260 Madison Avenue, 16th Floor
New York, New York 10016
<http://www.hzlaw.com>
Telephone: (212) 644-1857
Telecopier: (212) 644-6553

Eric M. Zim, Esq.

April 7, 2020

VIA ECF

Hon. Katharine H. Parker
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Courtroom 17-D
New York, New York 10007

Re: Brito v. Lucky Seven Restaurant & Bar LLC, et al.
Docket No. 19-cv-3876 (PAE)(KHP)

Your Honor:

My firm represents Defendants, Lucky Seven Restaurant & Bar LLC, La Casa del Mofongo Inc., Felix Cabrera and Avi Dishi (collectively, "Defendants"), in the above referenced matter. Defendants write to respectfully request a sixty (60) day extension of time from April 13 to June 15, 2020 for the parties to submit opposition papers to the motions for summary judgment. Plaintiff's counsel, David Stein, indicated that he believed a thirty (30) day extension should be sufficient for the parties to submit their opposition briefs, even given the current circumstances.

As the Court is aware, the country is currently grappling with the COVID-19, or coronavirus, pandemic, with New York City being particularly hard hit. On March 7, 2020, Governor Andrew Cuomo declared that New York is in a state of emergency because of the rapidly developing pandemic situation. On March 13, 2020, Mayor Bill de Blasio followed suit, and declared New York City to be in a state of emergency as well. On March 20, 2020, Governor Andrew Cuomo issued Executive Order No. 202.8 prohibiting all non-essential employees from going into the workplace, which has been extended until, at least, April 29th, as well as the closure of all New York schools.

Of course, working from home creates a number of challenges that directly impact litigation, *inter alia*, our ability to review case files that are in the office and contain documents that may not be available in electronic form, as well as our ability to meet with clients. In addition, my office is faced with an additional challenge during this crisis as Melaine C. Alphonso, Esq.,

Page 2

April 7, 2020

Hon. Katharine H. Parker

who is of counsel to my firm and primarily responsible for this matter, has the added responsibility of coordinating remote learning for her three (3) young children who are home due to school closures.

For the reasons set forth herein, the Defendants respectfully request a sixty (60) day extension of time from April 13 to June 15, 2020 to submit opposition papers to the motions for summary judgment as a result of this pandemic.

Defendants thank the Court for its time and consideration in this regard.

Respectfully submitted,

/s/ Eric M. Zim
Eric M. Zim

EMZ/mca
cc: David Stein, Esq. (via ECF)